

**From:** JDonner  
**To:** Microsoft ATR  
**Date:** 12/8/01 2:02am  
**Subject:** Microsoft Settlement

Hi I'd like to comment on the proposed Microsoft settlement.

I object to everything in the settlement that says that Microsoft need not disclose its API or communications protocols to anything other than a for-profit business. ( Sections III(J)2, III(D), footnotes. )

Much of the most successful software using MS's protocols is open source; eg Samba. Many, many people including for-profit companies rely on Samba (a piece of compatibility middleware) to let Windows talk with Unix. If the current language passes, MS would be able to choke off technical information from the Samba group and groups like it, hurting one of the biggest current sets of beneficiaries of interoperability with Windows. Open Source software is MS's biggest competitor, which is likely why they fought for those constraints. The DOJ should not make a bad settlement that would allow MS to hide information from Open Source teams, which are some of the biggest current successes wrt interoperability with Windows.

Sincerely,

Jeff